

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA

United States of America,	)	
	)	
Plaintiff,	)	Case No. 1:21-cr-165
	)	
v.	)	<b>MOTION TO CONTINUE</b>
	)	<b>SENTENCING HEARING</b>
Justin Ladd Spotted Bear,	)	
	)	
Defendant.	)	

The Defendant, Justin Ladd Spotted Bear, requests a continuance of the sentencing hearing currently scheduled for November 8, 2022. A draft version of the presentence report was provided to the parties on October 11, 2022. Under Fed. R. Crim. P. 32 the presentence report must be given to the parties “at least 35 days before sentencing unless the defendant waives this minimum period.” As stated in the Advisory Committee Notes, the purpose of the 35 day requirement is to “...provide some additional time to the parties and the probation officer to attempt to resolve objections to the report.”

The undersigned needs additional time to respond to the presentence report, review the presentence report after any objections are noted or resolved, and draft a corresponding sentencing memorandum. The undersigned respectfully requests if a continuance is granted the hearing not be scheduled during the period of December 12-December 23 as he is scheduled for a murder trial and not be scheduled for January 3 or January 4 as he has parole board.

Dated October 18, 2022.

*/s/ Jackson J. Lofgren*

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Jackson J. Lofgren (ID # 06310)  
Attorney for Mr. Spotted Bear  
120 N. 3<sup>rd</sup> St., Suite 225  
P.O. Box 2393  
Bismarck, ND 58502  
(701) 223-3874  
lawfirm@suhrandlofgren.com